

CASE D0076 NP



FILING BY "EXPRESS MAIL" UNDER 37 CFR 1.10

EV323499208US
Express Mail Label Number

June 18, 2003
Date of Deposit

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

ART UNIT: 1647

CHANG ET AL.

EXAMINER: NICHOLS, CHRISTOPHER J.

APPLICATION NO: 10/056,884

FILED: JANUARY 24, 2002

FOR: POLYNUCLEOTIDE ENCODING A NOVEL HUMAN
POTASSIUM CHANNEL BETA-SUBUNIT, K+BETAM2

#9
BQJ
7/9/03
RECEIVED

JUN 23 2003

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TECH CENTER 1600/2900

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

This paper is being filed in response to the Office Action mailed April 28, 2003 having a term that expired on May 28, 2003. A Petition for a one (1)-month Extension of Time to extend the time for response to the Official Action up to and including June 28, 2003, together with an authorization to charge the \$110.00 requisite extension fee to Deposit Account No. 19-3880, is enclosed herewith.

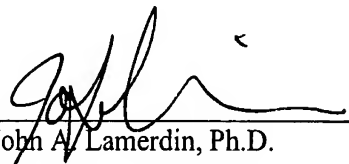
In reply to the Official Action dated April 28, 2003, requesting an election of one invention to prosecute in the above-referenced patent application, Applicants hereby provisionally elect to prosecute the invention of Group I, encompassing claims 1, 2-4, 8, 9, 16, 17, 18, and 19 and drawn to a method of making a polypeptide, including an isolated nucleic acid molecule comprising SEQ ID NO:1, fragments, variants, vectors and host cells comprising same. This election is made without prejudice to, or disclaimer of, the other claims or inventions disclosed.

Although it is believed no additional fee is due, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment associated with the filing of this correspondence to

Deposit Account Number 19-3880. Furthermore, if any extension of time not already accounted for is required, such extension is hereby petitioned for, and it is requested that any fee due for said extension be charged to Deposit Account Number 19-3880.

Respectfully submitted,

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Date: June 18, 2003